



Ad-Hoc Query on The Method of Registering Subsequent Asylum Applications

Requested by Maltese EMN NCP on 18th May 2010

Compilation produced on []

Responses from Austria, , Czech Republic, Estonia, Finland, Germany, Hungary, Latvia, Portugal, Slovak Republic, Slovenia, Sweden, United Kingdom (9 in Total)

Disclaimer: The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.

1. Background Information












The Office of the Refugee Commissioner in Malta, which is the asylum determination body, is currently receiving a significant number of subsequent applications. In view of these circumstances this Office is considering making some amendments in the database so as to ensure that these subsequent applications are statistically represented.

The Office of the Refugee Commissioner issues a file and a file number for every asylum application submitted. Up to now the same file and the same file number are being used in the case of a subsequent applications.

However, this Office is considering giving a new (second) number and a new (second) file to a person who re-applies for asylum and hence submits a subsequent application which is accepted.

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



2. Responses¹

		Wider Dissemination? ²	The Office of the Refugee Commissioner would like to enquire about the systems other Member States adopt in the cases of Subsequent Applications? When a subsequent application is accepted, is a new file and a new file number used? If this is not the case, can Member States kindly explain their current practices?
	Austria	No	The Austrian NCP has provided a reply but requested no further dissemination beyond EMN and COM
	Belgium	Yes	
	Bulgaria	Yes	
	Cyprus	Yes	
	Czech Republic	Yes	1. Yes. 2. Not applicable.
	Denmark	Yes	
	Estonia	Yes	No, according to the Act on Granting International Protection to Aliens the Police and Border Guard Board shall review a repeated application for asylum within the framework of reviewing the previous of the application for asylum as a continuation of the previous asylum proceedings.
	Finland	Yes	In Finland in case of a subsequent asylum application, a new file number will be opened under the applicant's registration number (Aliens Register). All subsequent applications will be mentioned in the decision and all applications/decisions are listed under the applicant's customer number.
	France	Yes	
	Germany	Yes	When a subsequent application is accepted, a new file and file number are being used.
	Greece	Yes	




¹ If possible at time of making the request, the Requesting EMN NCP should add their response(s) to the query. Otherwise, this should be done at the time of making the compilation.

² A default "Yes" is given for your response to be circulated further (e.g. to other EMN NCPs and their national network members). A "No" should be added here if you do not wish your response to be disseminated beyond other EMN NCPs. In case of "No" and wider dissemination beyond other EMN NCPs, then for the Compilation for Wider Dissemination the response should be removed and the following statement should be added in the relevant response box: "This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further."

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	Hungary	Yes	If a subsequent application is lodged at the Hungarian Office of Immigration and Nationality (OIN) a new file opened and a new registry number (Refugee Information System number) is used for the applicant. The subsequent and the original files are attached and managed together for better accessibility.
	Ireland	Yes	
	Italy	Yes	
	Latvia	Yes	The Asylum Affairs Division of the Office of Citizenship and Migration Affairs issues a file and file number for every asylum application. The same file number is being used in the case when the subsequent application has been made.
	Lithuania	Yes	
	Luxembourg	Yes	
	Malta	Yes	The Office of the Refugee Commissioner issues a file and a file number for every asylum application submitted. Up to now, the same file and the same file number are being used in the case of a subsequent applications.
	Netherlands	Yes	
	Poland	Yes	
	Portugal	Yes	Portugal registers each subsequent application with a new number which represents a new asylum procedure.
	Romania	Yes	
	Slovak Republic	Yes	<ol style="list-style-type: none"> 1. Yes, in case of subsequent (repeat) application a new number is used and as well as new file. 2. Current practices regarding subsequent (repeat) applications in the SR: Two situations may occur: <ul style="list-style-type: none"> - when the asylum seeker states the same reason and the decision on his/her application has been taken – i.e. it is rejected as manifestly unfounded, the procedure is suspended according to the Act on Asylum (No. 480/2002) - in case of stating a different reason as in the previous application a new procedure is commenced. The Act on Asylum does not regulate how many times the subsequent application can be lodged.
	Slovenia	Yes	The same file and the same number are being used for all applications of the same applicant, which relate to the area of international protection (including requests to instigate a new procedure; applications for resettlement to a private accommodation and for financial assistance; etc.) as well as all decisions, issued by International Protection Status Section

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			(Ministry of the Interior, Migration and Integration Directorate). However, the total number of a subsequent applications (lodged per month/year) is evident from the statistical data.
	Spain	Yes	
	Sweden	Yes	The Migration Board does not issue a new file number when receiving a subsequent application . Instead a new application is registered under the original file number. If necessary it is possible to follow every single subsequent application.
	United Kingdom	No	The UK NCP has provided a reply but requested no further dissemination beyond EMN and COM.
